

Remarks/Arguments:

In view of the above amendments and following remarks, reconsideration of the present application is respectfully requested.

By this amendment, claims 102, 105, 108, 111 and 114-124 have been amended. It is submitted that no new matter has been added. Claims 102, 103, 105 and 107-124 are currently pending in this application.

The Examiner has rejected claims 102, 103, 105 and 107-122 under 35 U.S.C. §102(b) as being anticipated by Nemirofsky (USPN: 5,412,416).

Without intending to acquiesce to the Examiner's aforementioned prior art rejection and in order to expedite allowance of this application, each of independent claims 102, 105, 108, 111 and 114-121 has been amended to more clearly distinguish such claims over the Nemirofsky reference.

Particularly, each of independent claims 102, 105, 108, 111 and 114-121 has been amended to recite that transmission format information transmitted to a receiving apparatus has set-up information including an estimated time required for the receiving apparatus to set-up prior to activating the content at the future point of time, or, alternatively, prior to processing the content at the future point of time.

Since the content is transmitted to the receiving apparatus before the starting time for activating the content or, alternatively, before the processing term for processing the content, as recited in independent claims 102, 105, 108, 111 and 114-121, the set-up time can be reduced due to the fact that the transmission format information transmitted to the receiving apparatus has set-up information including the estimated time required for the receiving apparatus to set-up (see Figures 9 & 17, paragraphs [0250], [0254]-[0257] and [0286]).

It is submitted that the aforementioned features as now recited in newly amended independent claims 102, 105, 108, 111 and 114-121, as well as the advantages resultant therefrom, are clearly not disclosed or suggested by the Nemirofsky reference for at least the following reasons.

The Nemirofsky reference discloses the transmission of a video signal (network wide

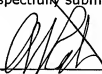
program) encoded with control data to a plurality of receiving sites RS via uplink antenna 6 and satellite 8 (see FIG. 1 and column 4 (lines 23-51)). The reference discloses that the control data may include a switching command for switching a receiver to tune to a transmission channel of a market-specific segment (see column 8 (lines 45-50)). In addition to the switching command, the Nemirofsky reference further discloses that the control data may include program/storage commands, modem commands, message for store's host computer and control profile commands (see column 9 (lines 20-28)).

However, the Nemirofsky reference fails to disclose or suggest that set-up information is transmitted to the receiving apparatus, as recited in newly amended independent claims 102, 105, 108, 111 and 114-121. Moreover, the Nemirofsky reference clearly fails to disclose or suggest the transmission of such set-up information including an estimated time required for the receiving apparatus to set-up prior to activating the content at the future point of time, or, alternatively, prior to processing the content at the future point of time, wherein such content is transmitted to the receiving apparatus before the starting time for activating the content or alternatively, before the processing term for processing the content, as particularly recited in each of independent claims 102, 105, 108, 111 and 114-121.

In view of the foregoing, it is submitted that independent claims 102, 105, 108, 111 and 114-121, as well as claims 103, 107, 109, 110, 112, 113 and 122-124 dependent thereon, clearly are allowable and the Examiner is kindly requested to promptly pass this case to issuance.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, the Examiner is kindly requested to contact the Applicants' representative in order to expedite allowance of this application

Respectfully submitted,



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